Working

MINIMUM FILING FEE: $100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of entries required, see booklet "How to file an Application to Appropriate Water in California")

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

STATE WATER RESOURCES CONTROL BOARD
2003 APR 28 PM 2:16
DIV. OF WATER RIGHTS SACRAMENTO

APPLICATION TO APPROPRIATE WATER

31419
APPLICATION No. _____
(Leave Blank)

1. APPLICANT

George Domb (530) - 242-5600
(Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)

15782 Texas Springs Rd Redding CA 96001
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is unnamed ~~spring on my property~~ Stream
(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to Flat Creek thence Tadpole Creek thence Olney Creek thence Sacramento River thence Pacific Ocean

b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒
If yes, during what months is it usually dry? From _____ to _____
What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? —

3. POINTS of DIVERSION and REDIVERSION

Cont Dept 10-16-02 pm

a. The point(s) of diversion will be in the County of SHASTA
and within Assessor's Parcel Number (APN #) 203-070-001-000

b. The dam was approved by Dept of Water Resources Division of Safety of dams. James Montgomery Dam and Reservoir State Application 1220, located in Sec 19 T. 31N, R. 5W, M.D. B&M Shasta County.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
North — 432,276 feet And	SW ¼ of SE ¼	19	31N	5W	MD
East 1,868,231 feet	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: —

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

9/16/02 DC $100 CK

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Recreation	NO	NO	NO	NO	~~100~~ * 66	~~4-1~~ 9-1	~~12-31~~ 6-14
WILDLIFE ENHANCEMENT							
* It is a 10 acre lake with a maximum depth of 14 feet. Using the .7 rule, .7 x max depth x area = volume							
.7 x	14 x	10 =	98				

cont'd 10-16-02 MM 3-17-03

b. Total combined amount taken by direct diversion and storage during any one year will be ~~100~~ 66 acre-feet.

5. JUSTIFICATION of AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is — (NONE) acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date

b. DOMESTIC: Number of residences to be served is _____. Separately owned? YES ☐ NO ☐
Total number of people to be served is _____. Estimated daily use per person is _____ (Gallons per day)
Total area of domestic lawns and gardens is _____ square feet.
Incidental domestic uses are _____
(Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock _____ Maximum number _____
Describe type of operation: _____
(Feed lot, dairy, range, etc.)

d: RECREATIONAL: Type of recreation: Fishing ☒ Swimming ☐ Boating ☒ Other ☒ waterfowl habitat.

e. MUNICIPAL: (Estimated projected use)

POPULATION (5-Year periods until use is completed)		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present						
	NA					

Month of maximum use during year is NA. Month of minimum use during year is NA.

f. HEAT CONTROL: The total area to be heat protected is NA net acres.
Type of crop protected is _____
Rate at which water is applied to use is _____ gpm per acre.
The heat protection season will begin about _____ (Date) and end about _____ (Date).

g. FROST PROTECTION: The total area to be frost protected is NA net acres.
Type of crop protected is _____
Rate at which water is applied to use is _____ gpm per acre.
The frost protection season will begin about _____ (Date) and end about _____ (Date).

h. INDUSTRIAL: Type of industry is NA
Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is NA. Patented ☐ Unpatented ☐
The nature of the mine is _____. Mineral to be mined is _____
Type of milling or processing is _____
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M. (40-acre subdivision)

j. POWER: The total fall to be utilized is N/A feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____ (Cubic feet per second x fall ÷ 8.8). Electrical capacity is _____ kilowatts at _____% efficiency. (Ap x 0.746 ÷ efficiency)
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M. FERC No._____ (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☒ NO ☐ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: _____. Basis for determination of amount of water needed is _____

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES ☒ NO ☐ Is land in joint ownership? YES ☐ NO ☒
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. _____

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
¼ of ¼	NA (same place)					
SW ¼ of SE ¼	19	31N	SW	MD		
¼ of ¼						
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of DAM
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from — Pump discharge rate — Horsepower —
(Depth of the well —) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
	—					

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if an	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
	~~21 ft.~~	Earth	210	~~4.5~~ 5.0	~~100~~	~~100~~	~~14~~
	24				10	66	15

per conf Rpt 9-26-02 (DSD) RM

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
12"	190'	4'	14.8'	0

cont Rpt 6-11-03 RM

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be — cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

8. COMPLETION SCHEDULE

a. Year work will start 1850. b. Year work will be completed 1853
c. Year water will be used to the full extent intended _____ d. If completed, year of first use _____

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is
Redding 96001
Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☐ NO ☒
If yes, state name of the subdivision —
If no, is subdivision of these lands contemplated? YES ☐ NO ☒
Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, when? _____

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: unknown

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain _____

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES [X] NO [ ]
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
pre 1914 appropriat.	1850	recreation -	all		
		no diversion			
		initially (100yrs ago) was for mining.			

11. AUTHORIZED AGENT (Optional)

With respect to [X] all matters concerning this water right application [ ] those matters designated as follows:

myself. ( )
(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated 8/12 2002, at Redding, California

Ms. (Mr.)
Miss. Mrs. George H. Domb, M.D.
(Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
Miss. Mrs.
(Signature of applicant)

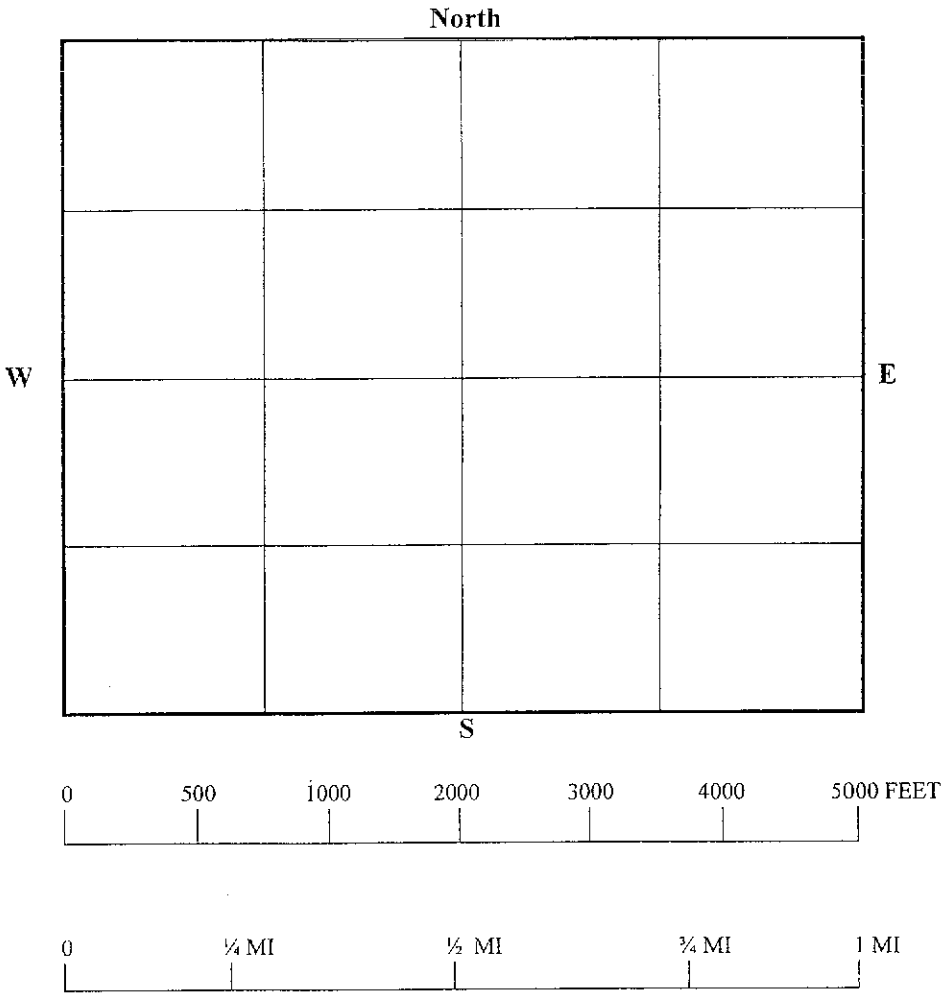
Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with $100 minimum filing fee.

NOTE:
If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued.

13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP_____ RANGE _____, _____B. & M.



(1) Show location of the stream or spring, and give name.
(2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
(3) Show location of the main ditch or pipeline from the point of diversion.
(4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31419

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

A dam was built 150 years ago on my property. I bought the property less than one year ago. I have no intention to change the height of dam, amount of water storage, etc. I am only carrying out this application because apparently in all these years, no one has filled out a formal application. But this lake has been here for 150 years.

THIS IS A RETROACTIVE APPLICATION FOR WATER RIGHTS.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

9/16/03 $100.00 DG

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   a. Person contacted _____ Date of contact _____

      Department _____ Telephone ( ) _____

   b. Assessor's Parcel No. _____

   c. County Zoning Designation _____

   d. Are any county permits required for your project? NO CHANGES BEING CARRIED OUT
      If yes, check appropriate space below:
      _____ Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit, _____ Change of Zoning, _____ General Plan Change, Other (explain):

      _____

      _____

      _____

   e. Have you obtained any of the required permits described above? No - no changes in 150 year old lake intended.
      If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? NO (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

   Permit type NONE

   Person (s) contacted _____ Agency _____

   Date of contact _____ Telephone ( ) _____

4. Has any public agency prepared an environmental document for any aspect of your project?
   NONE

   If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your projeet, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or

cause erosion, turbidity or sedimentation? _____ If so, explain: _____

NO - NO PROJECT BEING UNDERTAKEN.

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

NO

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency?_____

Do you know of any archeological or historic sites located within the general project area?

_____ If so, explain: _____

NO

ENVIRONMENTAL SETTING

IS THIS NECESSARY IF I AM CONTEMPLATING NO CHANGE?

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   a. Along the stream channel immediately downstream from the proposed point(s) of diversion

   b. Along the stream channel immediately upstream from the proposed point(s) of diversion

   c. At the place(s) where the water is to be used

   Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities
- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities
- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities
- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities
- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities
- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 324-3812).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

NONE

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

NO DIVERSION INTENDED.
THIS RESERVOIR HAS EXISTED
FOR OVER A CENTURY.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

NO CHANGES CONTEMPLATED.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO

If so, explain:

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 8-12-02 Signature Joyce Dorr MD.

JAMES MONTGOMERY DAM #1220. SHASTA COUNTY, CALIFORNIA A031419

MARCH 4, 2003

UPSTREAM LOOKING NORTH FROM SPILLWAY.
DAM CREST AT LOWER RIGHT.

UPSTREAM LOOKING NORTH FROM SPILLWAY.
DAM CREST AT LOWER RIGHT.

UPSTREAM LOOKING NORTH FROM SPILLWAY.
DAM CREST AT LOWER RIGHT.

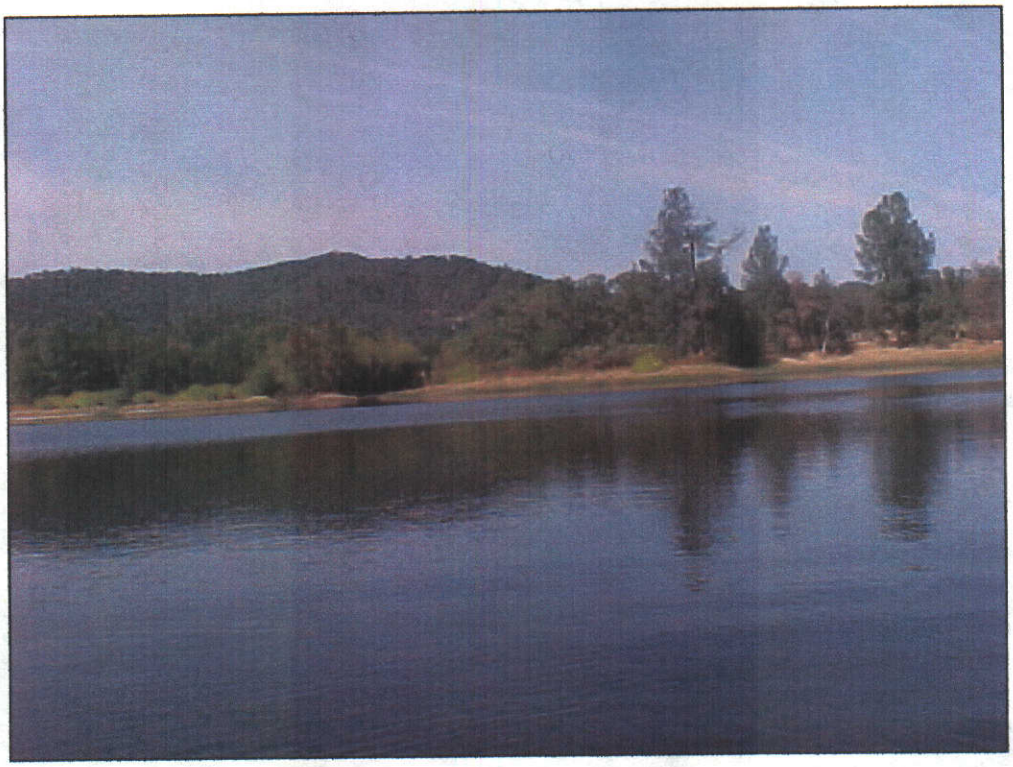
UPSTREAM LOOKING NORTH FROM SPILLWAY.
DAM CREST AT LOWER RIGHT.

SHARRAH DUNLAP SAWYER, INC.
Civil Engineering Structural Engineering Landscape Architecture Planning Surveying
3161 BECHELLI LN. SUITE 100, REDDING, CA 96002 PH (530) 221-1792 / FX (530) 221-8369

A031419

1

UPSTREAM OF DAM
LOOKING EAST

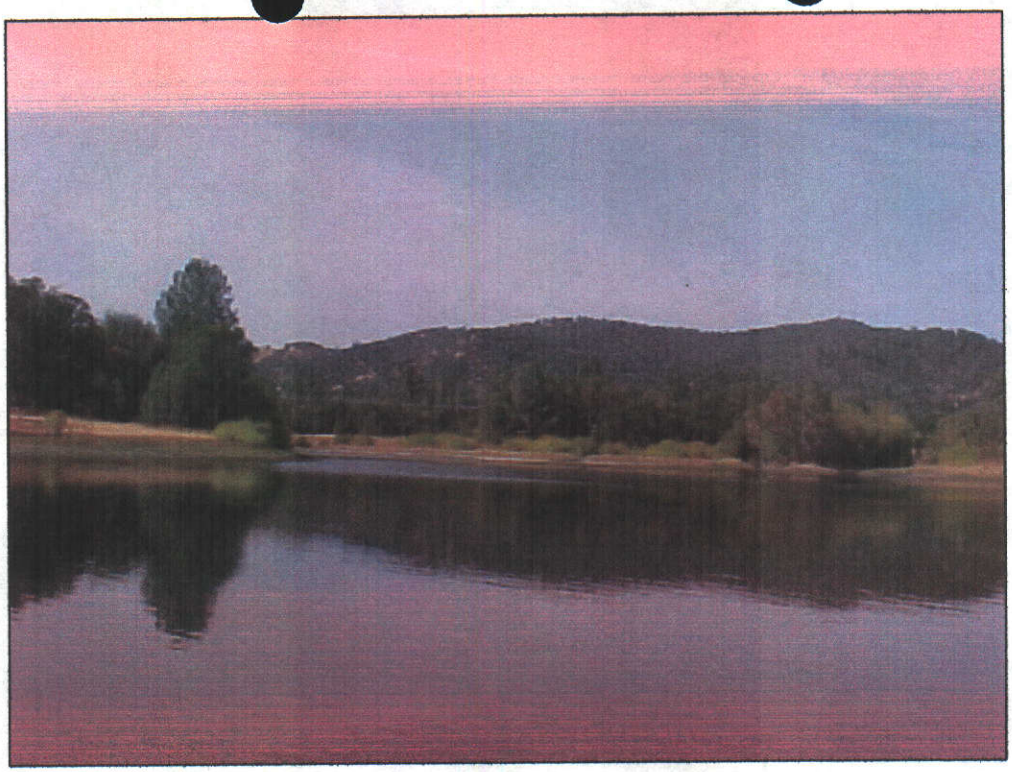


2

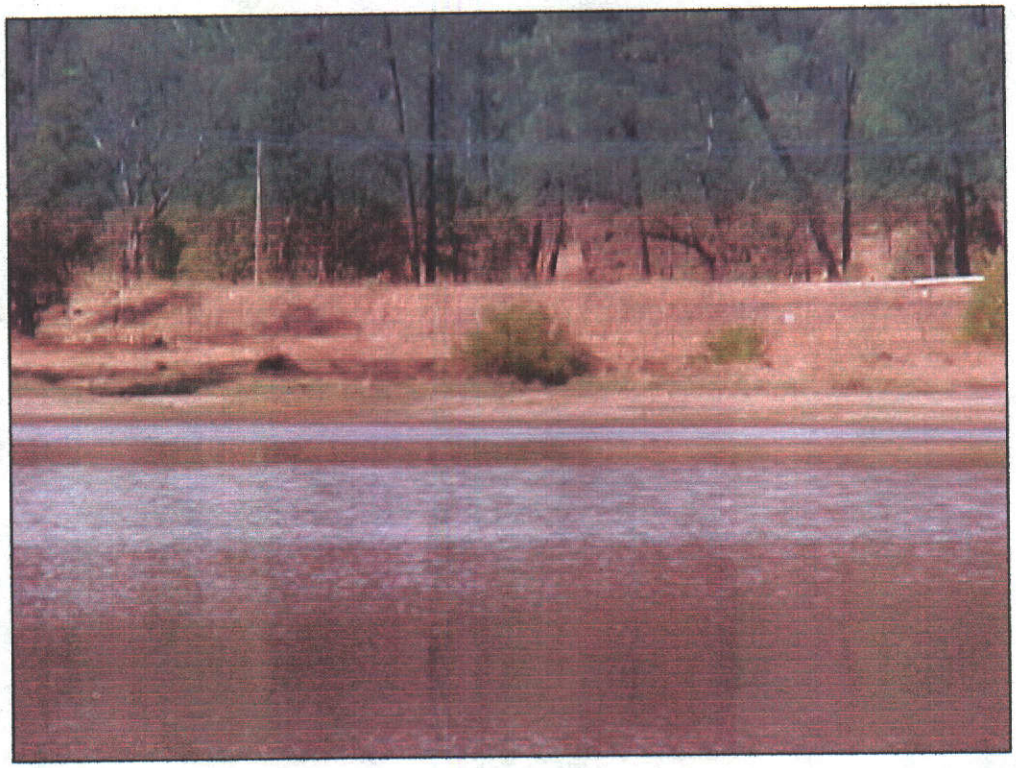
LOOKING NORTH

A031419

3

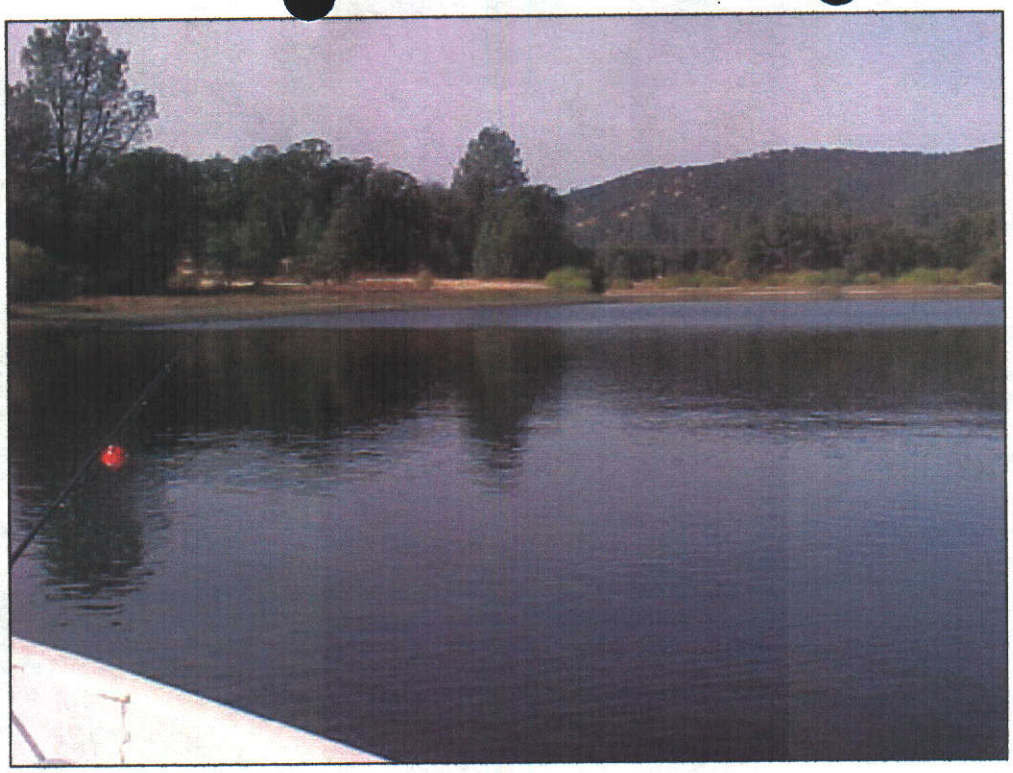


UPSTREAM OF DAM
LOOKING NORTH



3'

CLOSE-UP, LOOKING NORTH



A031419

4

UPSTREAM OF DAM
LOOKING WEST

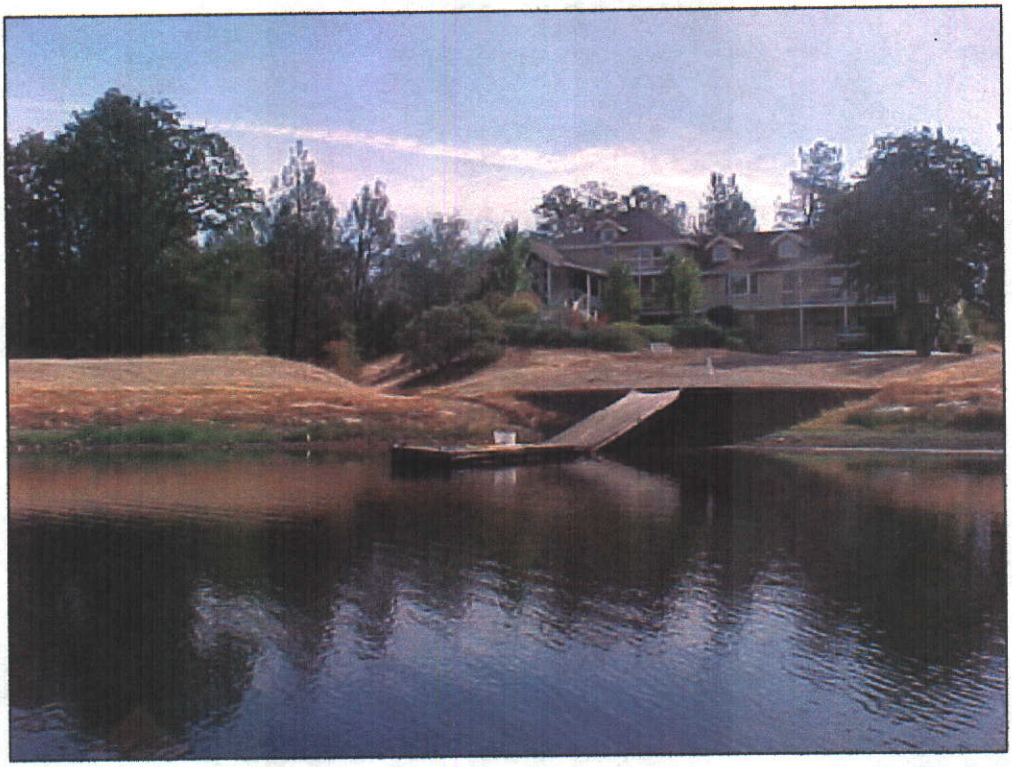
4'

CLOSE-UP, LOOKING WEST

A031419

5

UPSTREAM OF DAM
LOOKING SOUTH WEST

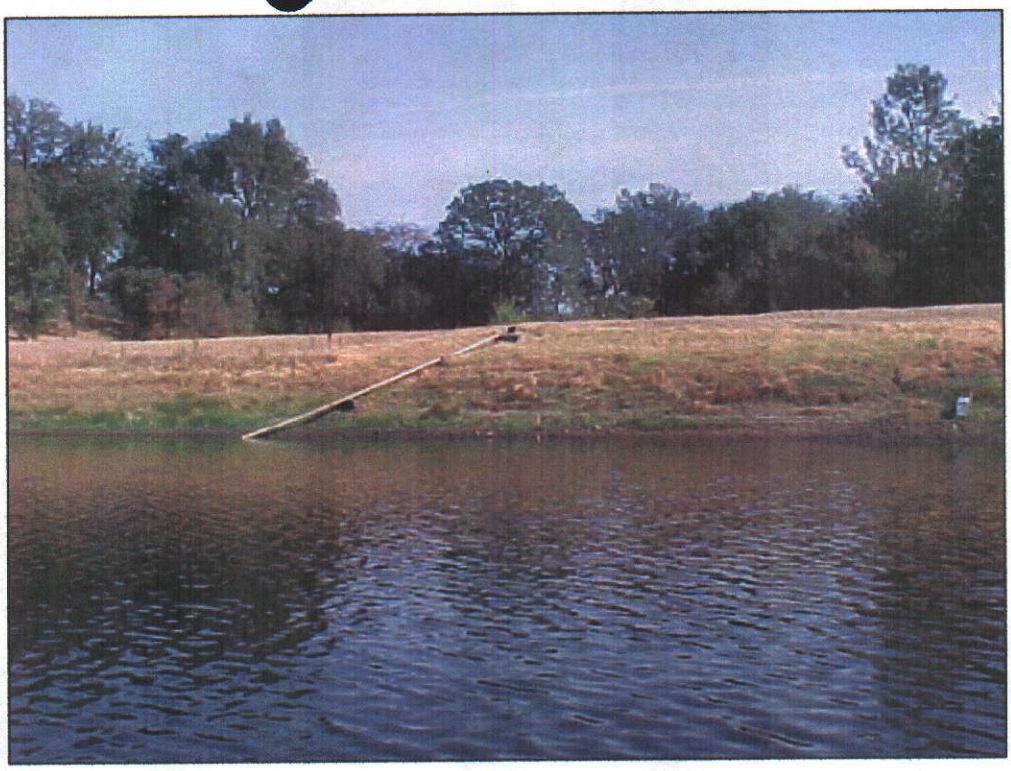


6

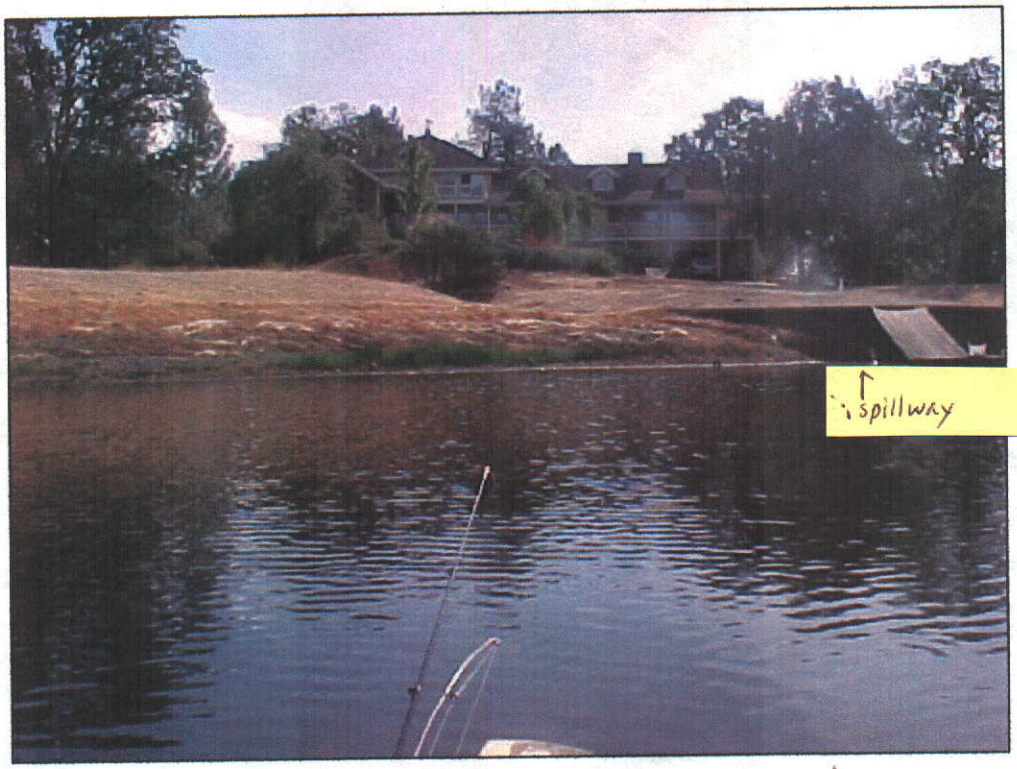
UPSTREAM
LOOKING SOUTH

A031419

8



↑
OUTLET



↑ spillway

7

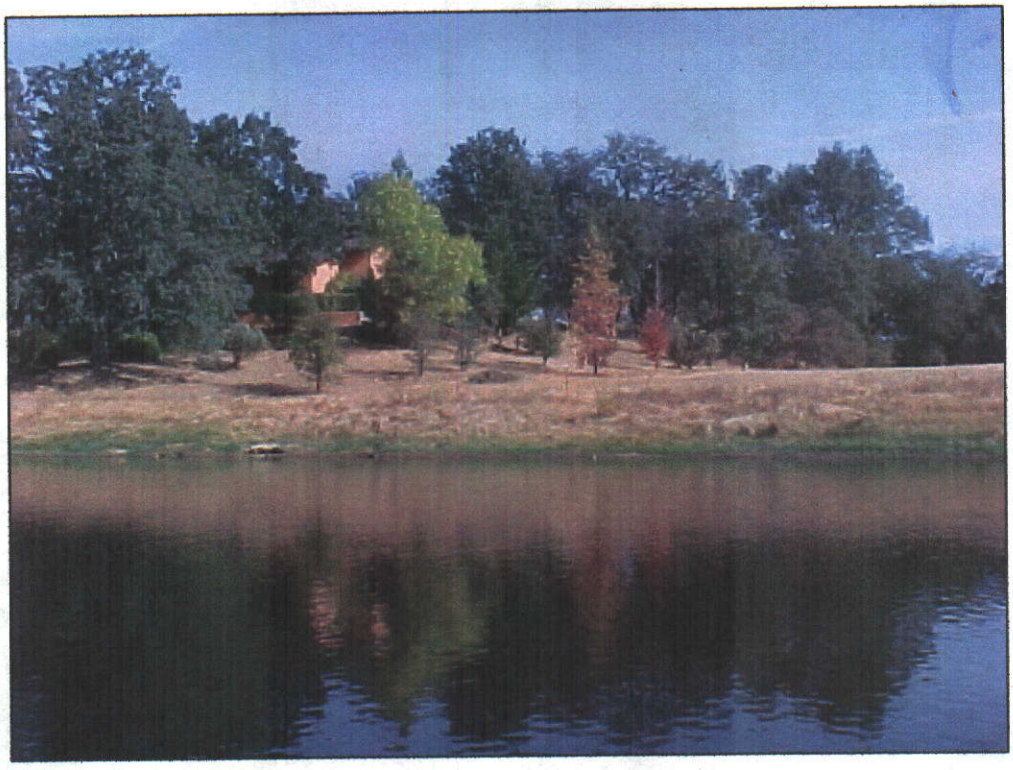
↑
SPILLWAY

AD31419

8

↑ OUTLET PIPE

↑ DAM



9

LOOKING SOUTH WEST

↑ DAM